

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

RACHEL A. MADEARIS,)	
)	
)	
Plaintiff,)	
)	
v.)	No. 08-0467-CV-W-FJG
)	
KANSAS CITY ART INSTITUTE,)	
)	
Defendant.)	

ORDER

Currently pending before the Court is plaintiff's Motion for Injunction (Doc. No. 15). Racheal Madearis ("Madearis") is a pro se plaintiff bringing an action against the Kansas City Art Institute ("KCAI") for violations of several federal statutes.

In her motion, Madearis requests a preliminary injunction¹ against various entities that are not parties to the present lawsuit. To the extent that Madearis's motion requests relief from non-parties, the Court does not have personal jurisdiction over these entities to order them to comply with an injunction. Madearis includes 19 specific actions she would like the Court to take; however, none of the requested actions direct defendant KCAI to affirmatively do something or refrain from certain conduct. According to Rule 60(d)(2) of the Federal Rules of Civil Procedure, non-parties may be bound by an injunction entered against a party if they are aware of the injunction; however, the injunction should issue against a party to the action initially. See Thompson v. Freeman, 648 F.3d 1144, 1147 (8th

¹Although the plaintiff does not specify the type of injunctive relief she is seeking, the Court presumes that she is moving for a preliminary injunction as it is the most appropriate type of relief applicable to the type of ongoing action she is requesting.

Cir. 1981).

Additionally, a preliminary injunction's purpose is to maintain the status quo between the parties until a hearing on the merits can be held. Sanborn Mfg. Co. v. Campbell Hausfeld/Scott Fetzer Co., 997 F.2d 484, 490 (8th Cir. 1993) (citations omitted). As KCAI points out, the requested relief does not maintain the status quo between the parties. Some of the relief Maderais requests extends seemingly in perpetuity rather than until a hearing on the merits takes place. Many of the requested actions extend far beyond what the Court could order even after a full hearing on the merits.

For the foregoing reasons, the Court **DENIES** plaintiff's Motion for Injunction (Doc. No. 15).

IT IS FURTHER ORDERED that the Clerk of the Court send a copy of this order via regular and certified mail to plaintiff at the following address: Rachel A. Madearis, 5000 Oak Street, Apt. 419, Kansas City, MO 64112.

IT IS SO ORDERED.

Date: 9/24/08
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge